

# Mississippi Public Service Commission



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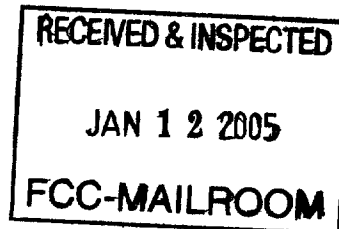
**BO ROBINSON**, CHAIRMAN  
HAMILTON-THIRD DISTRICT  
**NIELSEN COCHRAN**, VICE-CHAIRMAN  
JACKSON-FIRST DISTRICT  
**MICHAEL CALLAHAN**, COMMISSIONER  
HATTIESBURG—SECOND DISTRICT

**BRIAN U. RAY**  
EXECUTIVE SECRETARY  
(601)961-5400

**DAVID L. CAMPBELL**  
SENIOR ATTORNEY

January 6, 2005

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
9300 East Hampton Dr.  
Capitol Heights, MD 20743



Re: CC Docket No. 96-45; No. 99-306; January 1<sup>st</sup> Certification Deadline for Non-Rural Carriers

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 54.313, the Mississippi Public Service Commission ("MPSC") files its required certification for the year 2005 for Southern Telecommunications Company, LLC – Study Area Code No. is not available at this time.

In accordance with the Federal Communications Commission's (FCC) requirements in *Federal/State Joint Board on Universal Service, Ninth Report and Order, Eighteenth Order on Reconsideration, CC Docket No. 96-45; FCC 99-306*, the MPSC certifies that Southern's proposed use of federal universal service high-cost support for the year 2005 will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Telecommunications Act of 1996.

Attached are copies of the Commission's orders in Docket No. 04-UA-708.

Enclosed is a stamped addressed envelope and an additional copy of this letter for you to use in forwarding a stamped filed copy of this correspondence. Thank you for your assistance in this matter.

In accordance with the FCC's mandate, a certification letter is also being sent to Irene Flannery, Universal Service Administrative Company.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bo Robinson".

Bo Robinson, Chairman

A handwritten signature in cursive script, appearing to read "Nielsen Cochran".

Nielsen Cochran, Vice-Chairman

A handwritten signature in cursive script, appearing to read "Michael Callahan".

Michael Callahan, Commissioner

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Enclosure

Cc: Andy Gipson  
Bobby Waites

**BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION**

**04-UA-708**

**SOUTHERN  
TELECOMMUNICATIONS  
COMPANY, LLC**

**TC 123160000**

**IN RE: APPLICATION OF SOUTHERN  
TELECOMMUNICATIONS COMPANY,  
LLC FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS  
CARRIER UNDER THE  
TELECOMMUNICATIONS ACT OF  
1996**

**ORDER**

THIS DAY, there came on for consideration by the Mississippi Public Service Commission ("Commission") the Application of Southern Telecommunications Company, LLC ("Southern") for designation as a carrier eligible for federal universal service support pursuant to Section 214(e) of the Telecommunications Act of 1996 ("TA96"). The Commission, being fully apprised in the premises and having considered the documents, responses of Southern to discovery requests submitted by the Mississippi Public Utilities Staff ("MPUS"), and the record before it, as authorized by law and upon recommendation of the MPUS, finds as follows, to-wit:

1. On October 25, 2004, Southern filed with the Commission its Application pursuant to Section 214(e) of the Telecommunications Act of 1996 and Federal Communications Commission ("FCC") Rules 47 C.F.R. §§ 54.201 through 54.207, requesting designation as an Eligible Telecommunications Carrier ("ETC") for its current service area which includes the State of Mississippi (the "designated service area").
2. The Commission has jurisdiction to enter this Order, and entry hereof is in the public interest.
3. Due and proper notice of the Application was given to all interested persons as required by law and the Commission's Public Utilities Rules of Practice and Procedure.
4. BellSouth Telecommunications, Inc. ("BellSouth") intervened and became a party of record in this matter.

5. Southern holds a Certificate of Public Convenience and Necessity to provide local exchange and intrastate, interLATA and intraLATA long distance telecommunications services within the State of Mississippi.

6. Pursuant to 47 U.S.C. § 214(e) and FCC Rule 47 C.F.R. § 54.201, to qualify under federal law as a telecommunications carrier eligible for universal service funding, carriers must satisfy certain requirements or qualify for a waiver of those requirements. An ETC must offer the following services:

- a. Voice grade access to the public switched network;
- b. Access to free of charge "local usage" defined as an amount of minutes of use of exchange service;
- c. Dual tone multi-frequency signaling or its functional equivalent;
- d. Single-party service or its functional equivalent;
- e. Access to emergency services;
- f. Access to operator services;
- g. Access to interexchange services;
- h. Access to directory assistance; and
- i. Toll limitations services for qualifying low-income customers.

7. Qualified ETCs must offer these services either using their own facilities or a combination of their own facilities and the resale of services of another facilities-based carrier. Southern satisfies this requirement and shall continue to comply with each of these provisions regarding service provision and offerings.

8. Further, ETCs must advertise the availability of, and the prevailing prices for, the universal services throughout the area in which they have been designated as an ETC. Southern will implement a program to advertise the availability of the above referenced services and related charges using media of general distribution in its certificated service area as required by Section 254(e)(1)(B) of TA96 and Section 54.201(d)(2) of the FCC's Rules.

9. The Commission finds that Southern is capable of providing the services required for ETC designation and is capable of providing such services with an adequate degree of quality.

10. The Commission finds that Southern has committed to serve all subscribers upon request in its designated service area. Southern has committed to provide service either through its own facilities or a combination of its own facilities and resale.

11. Southern has not requested ETC designation for the exchanges of small rural carriers (independent telephone companies).

12. The Commission finds that an ETC designation to Southern can at a future time be modified or changed by subsequent Order of this Commission.

13. The Commission finds that ETC designation cannot be granted solely based on resale. Therefore, the Commission finds that Southern shall provide service either through its own facilities or a combination of its own facilities and resale to all subscribers upon request in its designated service area.

14. Southern shall also offer Lifeline and Linkup services pursuant to Southern's Lifeline and Linkup tariffs which have been approved by this Commission.

The Commission, having jurisdiction of the parties and the subject matter, and having considered Southern's Application and the evidence in support thereof, finds that Southern is entitled to be granted designation as an eligible telecommunications carrier throughout its designated service area in Mississippi based on timely complying with all conditions expressed in this Order.

IT IS, THEREFORE, ORDERED:

1. Southern Telecommunications Company, LLC is designated an Eligible Telecommunications Carrier throughout its current service area which includes the State of Mississippi. Southern shall provide service either through its own facilities or a combination of its own facilities and resale to all subscribers upon request in its designated service area.

2. This Commission retains continuing jurisdiction to review, modify, or revoke its designation of Southern as an ETC. Southern is conditionally designated an Eligible Telecommunications Carrier throughout the geographical service area served by non-rural carriers as described in Docket 97-AD-552. This ETC designation is for federal universal service funds, and is based on federal rules and guidelines as they exist today. Likewise, should the Universal Service Administrative Company or any other agency revise contribution or disbursement requirements that would directly impact the State of Mississippi and its consumers, the Commission retains its jurisdiction to review, modify and/or revoke its designation of Southern as an ETC. Additionally, should any information supplied by Southern in this docket be inaccurate, the designation of Southern as an ETC may be revoked.

3. The entire file of the Commission, as well as all responses to all discovery requests of the MPUS, are specifically made a part of the record in this matter.

4. This Order is effective as of the date hereof.

SO ORDERED, this the 6<sup>th</sup> day of January, 2005.

Chairman Bo Robinson voted Aye; Vice Chairman Nielsen Cochran voted Aye;  
Commissioner Michael Callahan voted Aye.



**MISSISSIPPI PUBLIC SERVICE COMMISSION**

Bo Robinson

BO ROBINSON, Chairman

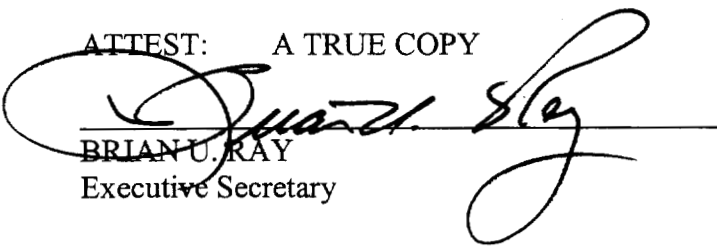
N. L. Cochran

NIELSEN COCHRAN, Vice Chairman

Michael Callahan

MICHAEL CALLAHAN, Commissioner

ATTEST: A TRUE COPY

  
BRIAN U. RAY

Executive Secretary

**BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION**

**04-UA-708**

**SOUTHERN  
TELECOMMUNICATIONS  
COMPANY, LLC**

**TC 123160000**

**IN RE: APPLICATION OF SOUTHERN  
TELECOMMUNICATIONS COMPANY,  
LLC FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS  
CARRIER UNDER THE  
TELECOMMUNICATIONS ACT OF  
1996**

**ORDER**

HAVING COME ON BEFORE the Mississippi Public Service Commission ("Commission") for the consideration of Southern Telecommunications Company, LLC's ("Southern's") Plan for Utilization of Federal Universal Service Funding for the year 2005 (the "Plan") heretofore submitted to this Commission by Southern, and after reviewing the Revised Plan and being otherwise sufficiently advised, this Commission finds as follows:

**I.**

The Commission has entered an Order designating Southern an Eligible Telecommunications Carrier "ETC" under Section 47 U.S.C. 214(e)(2).

**II.**

On December 20, 2004, Southern submitted its plan for utilization of the Federal Universal Service Fund for the year 2005 for approval by the Commission. On December 22, 2004, Southern submitted its Revised Plan for utilization of the Federal Universal Fund.

**III.**

The Commission, after consultation with the Public Utilities Staff, concludes that Southern's Plan for utilization of the Federal Universal Service Fund in Mississippi for the year 2005 is consistent with the Telecommunications Act of 1996 and the pertinent FCC orders.

IT IS, THEREFORE, ORDERED:

1. The Commission hereby certifies that Southern's Revised Plan for Utilization of Federal Universal Service Funding is consistent with 47 U.S.C. 254(e).

2. Southern shall file quarterly reports with the Commission providing the status of universal service fund expenditures and projects.

3. This Order is effective as of the date hereof.

SO ORDERED, this the 6<sup>th</sup> day of January, 2005.

Chairman Bo Robinson voted Aye, Vice Chairman Nielsen Cochran voted Aye; and Commissioner Michael Callahan voted Aye.

**MISSISSIPPI PUBLIC SERVICE COMMISSION**



BY:

Bo Robinson  
BO ROBINSON, CHAIRMAN

BY:

Nielsen Cochran  
NIELSEN COCHRAN, VICE CHAIRMAN

BY:

Michael Callahan  
MICHAEL CALLAHAN, COMMISSIONER

ATTEST: A TRUE COPY

Brian U. Ray  
BRIAN U. RAY,  
EXECUTIVE SECRETARY